

the Southwest Asia Service Medal with three devices, the Air Force Longevity Service Award Ribbon with four devices, the Armed Forces Reserve Medal with one device, the Small Arms Expert Marksmanship Ribbon, the Air Force Training Ribbon, and the Kuwait Liberation Medal.

Colonel Webster is married to the former Denise Schwartz. They live in Baldwinsville, New York and have two sons, Paul and Nicholas.

TRIBUTE TO CHRIS LEAK

HON. SUE WILKINS MYRICK

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2002

Mrs. MYRICK. Mr. Speaker, I rise today to offer congratulations to a young man in my congressional district that truly deserves recognition. Chris Leak, a senior at Independence High School in Charlotte, N.C. set the national record for high school football touchdown passes. This past weekend, Chris threw his 171st touchdown to break the previous record of 170. In breaking the record, Chris displayed the same natural ability that has generated national attention by throwing for 457 yards, 5 touchdowns and securing Independence High School's 41st straight win. Chris is considered by many football analysts to be the top quarterback prospect in the country, and he is being actively recruited by major universities. I am proud to recognize his achievement today and wish him the best of luck in the future.

THE CONTINUITY OF CONGRESS WORKING GROUP

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 14, 2002

Mr. COX. Mr. Speaker, I submit the following letter by myself and the gentleman from Texas, Mr. FROST, and the accompanying information on the continuity of Congress Working Group for the perusal of my colleagues.

HOUSE OF REPRESENTATIVES,
WASHINGTON, DC.
November 12, 2002.

Hon. DAVID DREIER,
Chairman, House Rules Committee,
Washington, DC.

DEAR CHAIRMAN DREIER: In May 2002, the Speaker and Minority Leader asked us to co-chair a bipartisan Continuity of Congress Working Group, of which you are a member, to study ways to ensure that the legislative branch continues to function in the event that a terrorist attack or other catastrophe kills or incapacitates a large number of Members. Because the Constitution permits the House to "determine the Rules of its Proceedings" and to judge the "Qualifications of its own members," the Working Group has been studying pertinent rules changes to remedy some of the problems that could be created under such circumstances.

As you know, during the past six months, the Working Group has held eight meetings, drafted new House Rules, drafted a House Resolution—which the House passed on October 2, 2002 by a vote of 414-0—urging states to

review their special election laws, drafted amendments to the Presidential Succession Act of 1947, and reviewed three constitutional amendments related to congressional continuity. Accompanying this letter are three draft Rules, developed by the Working Group, which we are requesting be included in the final rules package to be voted on by the House at the beginning of the next session.

The Working Group has identified three areas with respect to congressional continuity that the Working Group believes can be addressed through changes to the House Rules:

Codifying the process by which the Speaker certifies the death of a House Member in order to reduce the whole number of the House for purposes of establishing a quorum;

Allowing the Speaker to accelerate or postpone the reconvening of the House in the event of a declared emergency; and

Authorizing an individual other than the Speaker to reconvene the House in the event of a catastrophe resulting in the death of the Speaker.

Death Rule: Presently, no House rule codifies the process by which the Speaker certifies the death of a House Member in order to reduce the whole number of the House for purposes of establishing a quorum. When a Representative dies in office, the House and the Speaker take cognizance of the vacancy by adopting a House Resolution expressing the sorrow of all House Members. The whole number of the House is adjusted accordingly. However, because the preceding determination of the whole number of the House is the number that must be used to establish a quorum until a new whole number is established, in the event that a large number of Members are killed, a quorum could not be established for the purpose of establishing a new whole number.

To remedy this potential problem, the Working Group has drafted a rule which would allow the Speaker to announce the adjustment of the whole number of the House upon notification of the death, resignation, expulsion, disqualification, or removal of a Member. The Speaker's announcement would not be subject to appeal.

Emergency Recess Rule: In a time of national emergency, such as that seen on September 11th when the Capitol building was a target of the terrorists, the Speaker may need to accelerate the reconvening of the House or postpone House action in order to protect the lives of House Members and staff.

Accordingly, the Working Group has drafted an Emergency Recess Rule. Under this Rule, the Speaker, if informed by the Sergeant-at-Arms of an imminent threat to the safety of the Members and after obtaining the concurrence of the Minority Leader of the House, could notify Members that the House would not convene at the time stipulated when the House previously adjourned but would instead convene at another time during the next three days in accordance with the Constitution. The Rule would also allow the Speaker, with the concurrent of the Minority Leader, to reconvene the House earlier than stipulated for the sole purpose of declaring a further postponement.

Speaker Succession Rule: Current House rules do not explicitly address who would preside over the House in the event that there is a vacancy in the Office of the Speaker. Therefore, if the Speaker and the Clerk of the House die during a catastrophic attack, there would be no living individual authorized to reconvene the House, or call the House into session.

To remedy this potential problem, the Working Group has crafted a rule which would allow the Speaker to establish a line of succession for a Speaker pro tempore

whose duty would be to preside over the election of a new Speaker or Speaker pro tempore.

Conclusion: During the past six months, the Working Group has explored a variety of possible solutions to the many problems surrounding congressional continuity. The Working Group began with an examination of the least constitutionally intrusive solution—changes to the House Rules. We request that the House Rules Committee consider these three rules and include them in the rules package to be voted on by the House in January. These simple changes to the House Rules will help to ensure the continuity of this great institution—the United States Congress.

Sincerely,

CHRISTOPHER COX,

Chairman, House Policy Committee.

MARTIN FROST,

Chairman, House Democratic Caucus.

PROPOSED AMENDMENT TO CLAUSE 5, RULE XX (VOTING AND QUORUM CALLS) OF THE HOUSE RULES

(Proposed Amendment in bold)

5. (a) In the absence of a quorum, a majority comprising at least 15 Members, which may include the Speaker, may compel the attendance of absent Members.

(b) Subject to clause 7(b) a majority of those present may order the Sergeant-at-Arms to send officers appointed by him to arrest those Members for whom no sufficient excuse is made and shall secure and retain their attendance. The House shall determine on what condition they shall be discharged. Unless the House otherwise directs, the Members who voluntarily appear shall be admitted immediately to the Hall of the House and shall report their names to the Clerk to be entered on the Journal as present.

(c) **Upon the death, resignation, expulsion, disqualification or removal of a Member, the whole number of the House shall be adjusted accordingly. The Speaker shall announce the adjustment to the House. Such an announcement shall not be subject to appeal. In the case of a death, the Speaker may lay before the House such documentation from federal, state, or local officials as he deems pertinent.**

PROPOSED AMENDMENT TO CLAUSE 12, RULE I (DECLARATION OF RECESS) OF THE HOUSE RULES

(Proposed Amendment in bold)

12. (a) To suspend the business of the House for a short time when no question is pending before the House, the Speaker may declare a recess subject to the call of the Chair.

(b) **To suspend the business of the House when notified by the Sergeant-at-Arms of an imminent threat to its safety, the Speaker may declare an emergency recess subject to the call of the Chair.**

(c) **During any recess or adjournment of fewer than three days, if the Speaker is notified by the Sergeant-at-Arms of an imminent impairment of egress at the place of reconvening at the time previously appointed, then he may, with the concurrence of the Minority Leader—**

(1) **postpone the time for reconvening within the limits of clause 4, section 5, article I of the Constitution and notify Members accordingly; or**

(2) **reconvene the House before the time previously appointed solely to declare the House in recess within the limits of clause 4, section 5, article I of the Constitution and notify Members accordingly.**